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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.       | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------------|------------------|
| 10/760,456   | 01/21/2004  | Minoru Ohara         | 247748US2X                | 1390             |
| 22850  | 7590        | 11/19/2007           |                           |                  |
| OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.<br>1940 DUKE STREET<br>ALEXANDRIA, VA 22314 |             |                      | EXAMINER<br>TRAN, ELLEN C |                  |
|  |             |                      | ART UNIT                  | PAPER NUMBER     |
|  |             |                      | 2134                      |                  |
|  |             |                      | NOTIFICATION DATE         | DELIVERY MODE    |
|  |             |                      | 11/19/2007                | ELECTRONIC       |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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## Interview Summary

Application No.

10/760,456

Applicant(s)

OHARA ET AL.

Examiner

Ellen C. Tran

Art Unit

2134

All participants (applicant, applicant's representative, PTO personnel):

(1) Ellen C. Tran.

(3) \_\_\_\_\_

(2) John Ma.

(4) \_\_\_\_\_

Date of Interview: 06 November 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: 10-15.

Identification of prior art discussed: N/A.

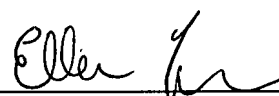
Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's representative called in order to get clarification of the 112 rejection placed in the Non-Final Office Action mailed 6 July 2007. The Examiner explained that the wording in the claims is confusing. For example claim 10 is shown below:

10. A replay program enabling a computer to execute instructions comprising:
- instructions configured to read a first identifier from an identifier area of a storage medium;
  - instructions configured to read a second identifier from a data area of the storage medium;
  - instructions configured to conduct an operation selected from the group consisting of decrypting the second identifier, confirming if the second identifier is a first electronic watermark embedded therein, and decrypting the second identifier and confirming if the second identifier is the first electronic watermark embedded therein;
  - instructions configured to compare the first identifier and the second identifier with each other, when a case selected from the group consisting of the second identifier being decrypted, the second identifier being confirmed as being the first electronic watermark embedded therein, and the second identifier being decrypted and being confirmed as being the first electronic watermark embedded therein is satisfied;
  - instructions configured to read content data from the data area;
  - instructions configured to conduct an operation selected from decrypting the content data, confirming if the content data is a second electronic watermark embedded therein, and decrypting the content data and confirming if the content data is the second watermark embedded therein when at least a predetermined part of the first and second identifiers are identical to each other; and
  - instructions configured to replay the content data when a case selected from the group consisting of the content data being confirmed as being the second electronic watermark embedded therein, the content data being decrypted, and the content data being decrypted and being confirmed as being the second electronic watermark embedded therein is satisfied.

Because claim 10 is worded in the alternative the following independent claim scenerios can be derived A1, A2, and C1. It is unclear if the all the intended limitations are properly defined, since multiple scenerios can be derived due to the indefinite wording in the claim. For Example shown below are Scenerios: A1, A2, and C1 note the wording is confusing and there is not any significant limitations over the prior art. The content data is replayed without any confirmation in Scenerios A1 and C1. It is strongly recommended that the Claims be rewritten to better define the limitations.

Scenerio A1:

- A replay program enabling a computer to execute instructions comprising:
- instructions configured to read a first identifier from an identifier area of a storage medium;

instructions configured to read a second identifier from a data area of the storage medium;  
instructions configured to conduct an operation of decrypting the second identifier;  
instructions configured to compare the first identifier and the second identifier with each other;  
instructions configured to read content data from the data area;  
instructions configured to conduct an operation of decrypting the content data; and  
instructions configured to replay the content data.

Scenario A2:

A replay program enabling a computer to execute instructions comprising:

instructions configured to read a first identifier from an identifier area of a storage medium;  
instructions configured to read a second identifier from a data area of the storage medium;  
instructions configured to conduct an operation of decrypting the second identifier;  
instructions configured to compare the first identifier and the second identifier with each other;  
instructions configured to read content data from the data area;  
instructions configured to confirming if the content data is a second electronic watermark embedded therein;

and

instructions configured to replay the content data when content data being confirmed as being the second electronic watermark embedded therein is satisfied.

Scenario C1:

A replay program enabling a computer to execute instructions comprising:

instructions configured to read a first identifier from an identifier area of a storage medium;  
instructions configured to read a second identifier from a data area of the storage medium;  
instructions configured to conduct an operation of decrypting the second identifier and confirming if the second identifier is the first electronic watermark embedded therein;

{NOTE - the step of comparing is not done because the condition is not satisfied}

instructions configured to read content data from the data area;  
instructions configured to conduct an operation of decrypting the content data; and  
instructions configured to replay the content data.

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EXAMINER  
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